

W. Scott Randolph
Director - Regulatory Affairs



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August 21, 2001

Ms. Magalie R. Salas
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, DC 20554

**Ex Parte: Implementation of the Local Competition Provisions in the
Telecommunications Act of 1996 - CC Docket No. 96-98**

Dear Ms. Salas,

On August 21, 2001, Augie Trinchese, Sherry Ingram, and the undersigned met with Dorothy Attwood, Michelle Carey, Kathy Farroba, Jon Reel, Brent Olsen, Jeremy Miller, and Brad Koerner of the Common Carrier Bureau and Anthony DeLavreutis of the Enforcement Bureau to discuss Verizon's obligations under the 1996 Act to provision unbundled high capacity services. The attached material was used in the discussions.

Pursuant to Section 1.1206(a)(1) of the Commission's rules, and original and one copy of this letter are being submitted to the Office of the Secretary. Please associate this notification with the record in the proceeding indicated above. If you have any questions regarding this matter, please call me at (202) 515-2530.

Sincerely,

A handwritten signature in cursive script, appearing to read "W. Scott Randolph".

W. Scott Randolph
Director - Regulatory Matters

cc: Dorothy Attwood
Michelle Carey
Kathy Farroba
Jon Reel
Brent Olsen
Jeremy Miller
Brad Koerner
Anthony DeLavreutis

Verizon's Policies And Practices For Provisioning Unbundled DS-1 Loops Comply Fully With The Commission's Rules And Policies:

- Verizon will unbundle DS-1 and DS-3 loop facilities where those facilities are available
- Where no facilities are available, and Verizon has construction underway to meet anticipated demand for its access services, an estimated provisioning date will be provided based on anticipated completion date of the pending job
- Where requisite line cards have not been deployed but space exists in the multiplexers at the central office and customers' location, Verizon will order and place the necessary line cards in order to provision the UNE
- Verizon will cross-connect the existing common equipment (multiplexers) to the copper or fiber facility
- Verizon will place a doubler in an existing apparatus case where necessary given the length of the loop
- If Verizon responds to a DS-1 UNE request with a Firm Order Confirmation notice, and subsequently finds the spare facilities are defective, Verizon will perform the work necessary to clear the defect
- In Late July Verizon issued a notice to CLECs reiterating its policy for provisioning DS-1 and DS-3 UNEs
- Claims that Verizon will provide DS-1 UNEs only where it already offers DS-1 service to the customer are wrong

Claims that Verizon's Obligation To "Condition" Loops Requires It To "Install Necessary Equipment To Provide Workable UNE Loops is Incorrect:

- The Commission's rules and decisions could not be more clear ... ILECs' conditioning obligation requires them only to *remove* equipment that compromises the loop's ability to support certain services, not to *install* new services
- Rule 51.319(a)(3)(i) defines "line conditioning" as "the *removal* from the loop of any devices that may diminish the capability of the loop to deliver high-speed switched wireline telecommunications capability, including xDSL service"
- The UNE Remand Order states that a "conditioned" loop is "a loop from which bridge taps, low-pass filters, range extenders, and similar devices have been *removed*" and that "[l]oop conditioning requires the incumbent LEC to *remove* these devices, paring down the loop to its basic form"

Subsection 251(c)(3) Implicitly Requires Unbundled Access Only To An Incumbent LEC's Existing Network – Not A Yet Unbuilt Superior One:

- The Commission has held only that it can mandate removal of equipment from a loop (this issue is currently before the D.C. Circuit)
- The Commission has never forced an ILEC to invest in new equipment in order to enable a loop to support services that the loop cannot otherwise provide
- The TELRIC-based UNE rate is not designed to include cost elements for new construction, since it presumes the existence of a maximally efficient network

Verizon's DS-1 Provisioning Policy Is Non-Discriminatory:

- Verizon will build new DS-1 facilities for wholesale customers and for all other access service customers on the same terms under its special access tariffs
- Verizon generally will undertake to construct the facilities required to provide service at tariffed rates (including any applicable special construction rates) if the required work is consistent with Verizon's current design and construction program
- Requests from all of Verizon's access service customers, whether they are CLECs, IXCs or end users, are handled in the same manner, precluding any claim of discrimination